



City of  
Peterborough

## COMMITTEE OF ADJUSTMENT

HEARING DATE: July 20, 2010

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**Staff Comments Re: Files: A20//10, A21/10, A22/10, & A23/10**

**A20/10 - 516 Hunter Street West – Joan Himann & Greg Gordon**

Referring to the plans attached to the Staff Report as Exhibit A, the owner would like to make some modifications to the dwelling including a second storey addition over the garage, a roof over the front stoop and a “bump out” addition to the west side of the dwelling that would require the following minor variances to the regulations of the zoning district:

- i) reduce the minimum building setback from the east side lot line from 1.2 metres (3.9 ft) to 1.12 metres to permit a second storey addition over the attached garage;
- ii) reduce the minimum building setback from the west side lot line from 1.2 metres (3.9 ft) to 0.99 metres (3.24 ft) to permit a 2.08 metre wide architectural “bump out” located approximately 1 metres from the north west corner of the dwelling; and
- ii) reduce the minimum building setback from the Hunter Street street line from 6 metres (20 ft) to 4.57 metres (15 ft) to permit a roof over the existing 3 metre (10 ft) wide stoop at the front entrance to the dwelling.

Hunter Street West, west of Park Street is a local residential street, an upscale neighbourhood lined with stately, older dwellings that are well taken care of. The owner happens to be an architect interested in adding to the dwelling in a way that will compliment the building and continue to fit into the neighbourhood.

Referring to the survey and the elevation drawing attached to the staff report, there is a single storey garage attached to the east side of the dwelling located 1.06 metres (3.5 ft) from the east side lot line. The proposal is to add a second storey over the garage that would add to the internal space of the dwelling in line with the easterly wall as established.

Staff visited the subject property and noted that there is a substantial separation of approximately 1.8 metres between the building on the adjacent lot to the east and the lot line to which the variance is required. Staff are of the opinion that from the street, the impact of the variance 0.2 metres (0.5 ft) would not be perceived. Staff would not object to the variance provided eavestroughing is established and maintained on the addition to manage storm water on the property without affecting the neighbouring properties.

Considering the variance requested to the west side lot line, the proposed addition is an architectural feature that may be described as a “bump out”. The one storey wall feature will protrude 0.3 metres (13 inches) from the existing wall, providing some internal space for detail decorating within the dining room. Considering the conservative dimensions of

the feature in relation to Section 6.19 of the by-law that would permit a chimney to protrude 0.6 metres (2 ft) into a side yard setback, staff are of the opinion that the variance requested is minor.

Finally, the owner would like to establish a cover and partial walls over the existing concrete stoop to shelter access to the front entrance. The partial walls would be brick veneer tying into the building and the roof will be a low profile, cottage style design that would also compliment the building.

Staff visited the neighbourhood and noted irregularities in the setback of buildings and portions of buildings from the street line in the vicinity. Staff are of the opinion that the proposed feature would add to the aesthetics of the building, the pedestrian character of the street-building interface and would be compatible with the standard of development in the neighbourhood. Subject to concerns raised by neighbouring property owners, staff would not object to the Committee granting the variances as described.

### **A21/10 – 2235 Keene Road - Bradley & Jill Hunt**

The owner is requesting a variance to recognize the use of the kitchen facilities within the restaurant as a “bakery” considered as a similar use of the restaurant’s kitchen for the preparation of meals to be provided within the restaurant on the property or offsite where catering services are rendered. No addition to the building is proposed at this time.

The subject property known as the Burnham Mansion is zoned for use as a restaurant. It is located on the eastern city limits with a spatial separation from adjacent land uses including public works etc.

Considering the impact of the use of the commercial kitchen for the preparation of a variety of foods to be consumed on and off site compared to the use of the kitchen as a “bakery” for preparing baked goods to be consumed both on and off site, staff is of the opinion that the use could be considered as similar. Subject to concerns raised in response to the notice issued, Staff would not object to the Committee granting the variance to recognize the use of the restaurant kitchen as a “bakery” regarded as a similar use.

### **A22/10 – 1523 Champlain Drive - Thom Rowden**

The owner would like to construct a side entrance to the basement of the dwelling. The proposal involves construction of a concrete foundation wall and a set of stairs on the north side of the dwelling. Champlain Drive is a residential neighbourhood of properties zoned with specific alternate regulations to require large lots with spatial separation between buildings.

The subject property is zoned: R.1,1e,2f,4e,8d,13h Residential.

The alternate zoning regulations require:

1e – a minimum lot area of 1,390 sq metres,

2f – a minimum lot width of 27 metres,

4e – a minimum lot depth of 45 metres,

**8d – a minimum building setback of 3 metres from the side lot line**

13h – a minimum floor area per dwelling unit of 130 sq metres

A variance is therefore requested to reduce the minimum required building setback from

the north side lot line from 3 metres (9.8 ft) to 1.2 metres (3.9 ft) to allow the foundation wall, stairs and landing to be constructed. The proposed structure would be 1.37 metres (4.5 ft) wide extended into the side yard setback. The stairs and landing would be 3.6 metres (12 ft) long with railings along the top but no cover over the concrete structure. The entrance would be located about mid point in relation to the existing north wall of the building as illustrated on the plan attached to the Staff Report as Exhibit B.

The intention of the alternate zoning is to ensure spatial separation between buildings. Because the proposed addition is largely sub surface and there is no structure above ground other than the safety railing, staff is of the opinion that the spatial separation between buildings would not appear to be compromised to any significant degree. The variance would reduce the side yard setback to 1.2 metres that is the typical standard for residential neighbourhoods. Staff would also suggest that the proponent could agree to establish and maintain vegetative landscaping located so as to screen the entrance from the street to mitigate the impact even further.

Staff is of the opinion that the impact of the variance if granted, would be minor and subject to concerns raised by neighbouring property owners, staff would not object to the Committee granting the variance as described.

**A23/10 – 554 Aylmer Street - Anne Southerland Levitt**

The owner would like to construct an external fire escape from the top level of the building attached to the northeast corner of the building. A minor variance to the zoning regulations is therefore requested to reduce the minimum building setback from the north side lot line from 2.4 metres (7.87 ft) to 2 metres (6.56 ft) and reduce the minimum building setback from the rear lot line from 9 metres (29.5 ft) to 4.7 metres (15.4 ft) to permit the external fire escape.

The development and use of the building was recognized by the decision of an Ontario Municipal Board, Decision 0496 in 2004 as three units with a unit on the second and third floor. Upon inspection of the premises by the fire department, the second and third floor are developed and occupied as individual rooms therefore requiring a fire escape from the upper level be established to provide safe exit from the top floor of the building.

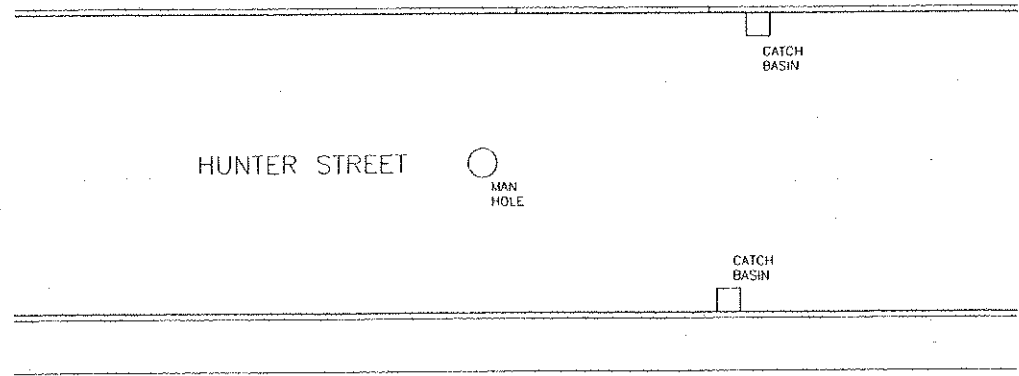
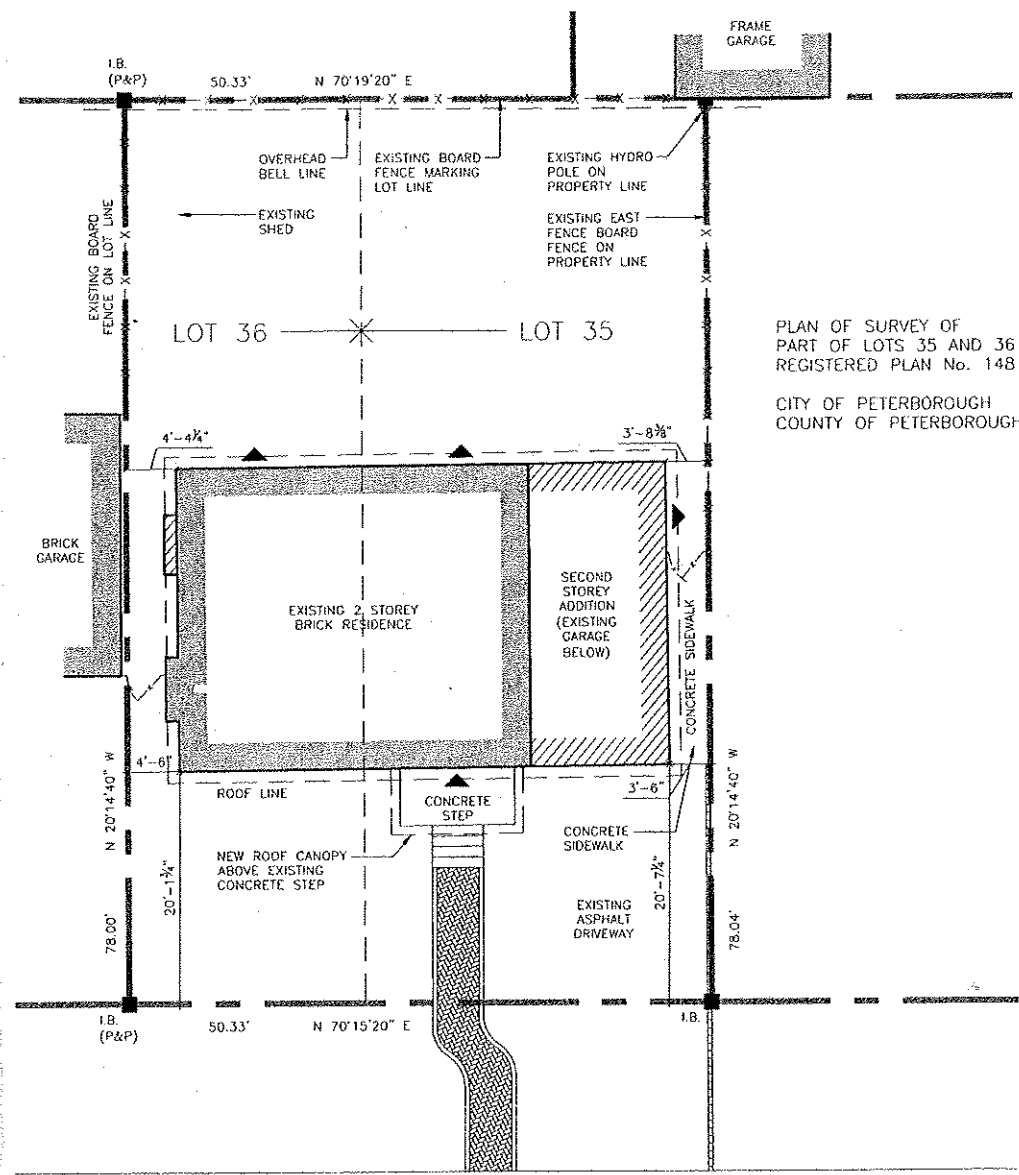
The owner has had a fire escape from the top level of the building designed to satisfy the requirements of the fire department and that would fit as tight to the building as possible but the variances described are still necessary. According to the applicant there are 14 rooms and one dwelling unit in the building on the main floor. Staff are concerned with the conversion of the building to be primarily a rooming house requiring the proposed fire escape and variances to permit the use. Considering the number of rooms and the further variances required, Staff are of the opinion that the development of the property is at its limits and does not consider the impact of the variances that would facilitate the intensity of the use of this property as minor.



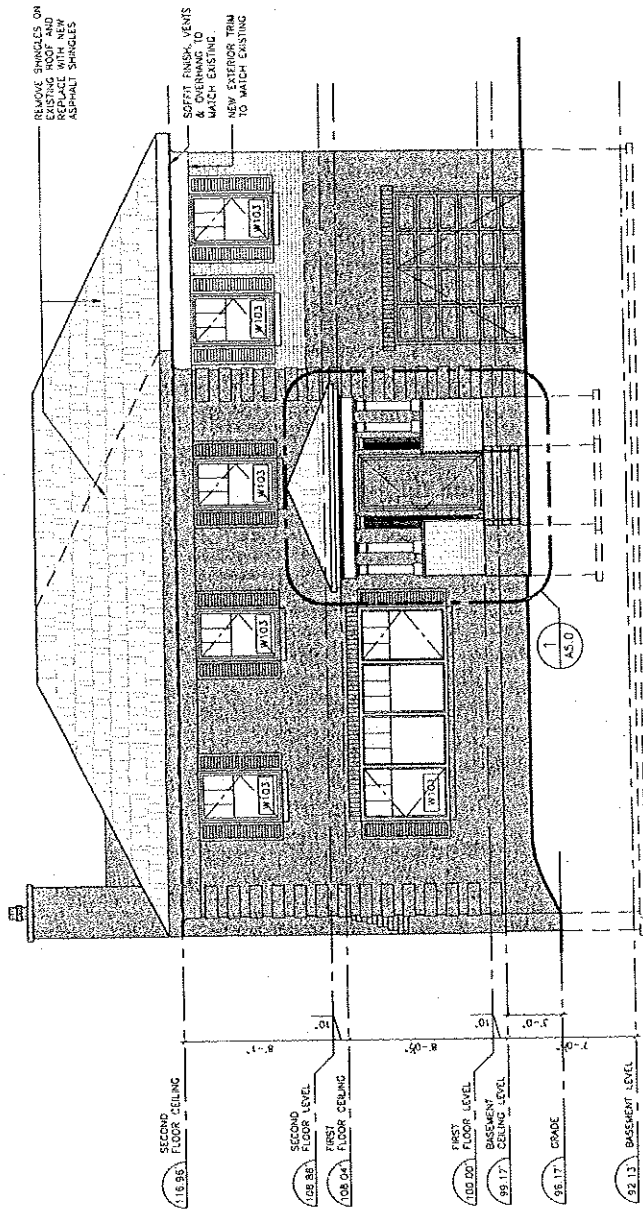
**Richard Straka**  
Planner Policy & Research



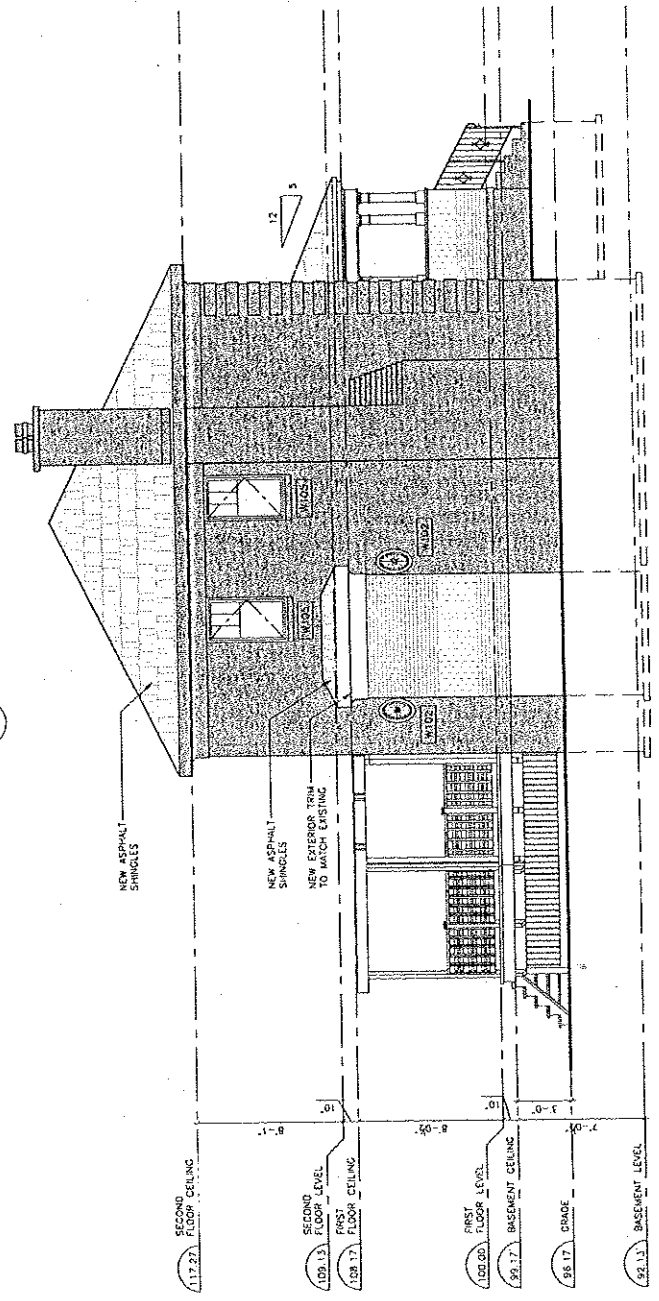
**R. Waldron, C.E.T., CBCO**  
Manager, Building Division





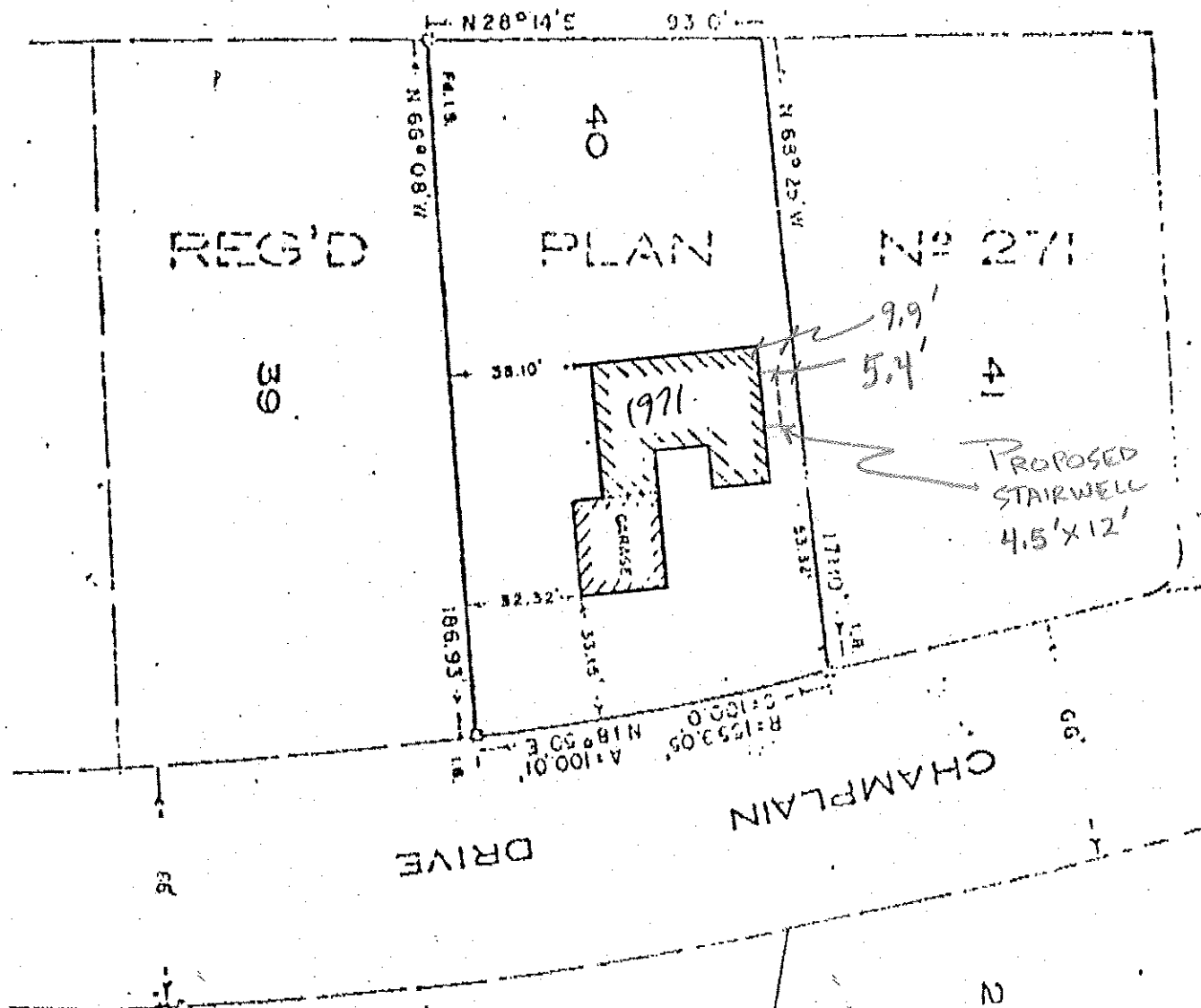


1 PROPOSED SOUTH ELEVATION  
 A4.0 SCALE: 1/4"=1'-0"



2 PROPOSED WEST ELEVATION  
 A4.0 SCALE: 1/4"=1'-0"

LOT 20  
CONCESSION 3  
INST. N° 102720



WATERBOROUGH  
JANUARY 7, 1972

SCALE

CITY

LOT 4

Show

20

21

22

66

DRIVE

CHAMPLAIN

ED

ED

39

40

PLAN N° 271

41

PROPOSED STAIRWELL  
4.5'x12'

(1971)

GARAGE

N28°14'E 93.6'

N66°08'W

N63°25'W

38.10'

82.32'

186.93'

53.15'

53.32'

171.0'

9.9'

5.4'

A=100.01  
N18°50'E  
C=180.0  
R=153.05

# AYLMER STREET

# LONDON STREET

